

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRISTOPHER CAROVILLANO *and* STEVEN
BRANDT, *on behalf of themselves and all others similarly
situated,*

Plaintiffs,

-v-

SIRIUS XM RADIO INC.,

Defendant.

23 Civ. 4723 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

An initial pretrial conference is hereby scheduled for **February 22, 2024 at 11 a.m.** This conference will be held telephonically. The parties should call into the Court's dedicated conference line at (888) 363-4749, and enter Access Code 468-4906, followed by the pound (#) key. **Counsel are directed to review the Court's Emergency Individual Rules and Practices in Light of COVID-19**, found at <https://nysd.uscourts.gov/hon-paul-engelmayer>, for the Court's procedures for telephonic conferences and for instructions for communicating with chambers.

All conferences with the Court are scheduled for a specific time; there is no other matter scheduled for that time, and counsel are directed to appear promptly. All pretrial conferences must be attended by the attorney who will serve as principal trial counsel.

The Court directs counsel for all parties to:

- Confer with each other prior to the conference regarding settlement and each of the other subjects to be considered at a Federal Rule of Civil Procedure 16 conference.
- Prepare a Civil Case Management Plan and Scheduling Order in accordance with the Court's Individual Rules, available at

<https://nysd.uscourts.gov/hon-paul-engelmayer>, to be submitted to the Court no later than **February 20, 2024**.

- Prepare a joint letter, not to exceed three pages in length, to be submitted to the Court no later than **February 20, 2024**, addressing the following topics in separate paragraphs: (1) a brief description of the case, including the factual and legal bases for the claim(s) and defense(s), and the history of the case; (2) any contemplated motions; and (3) the prospect for settlement. For the Court's convenience, the parties are requested to set forth the date and time of the conference in the opening paragraph of the letter.
- Register as filing users in accordance with the Procedures for Electronic Case Filing prior to the date of the initial pretrial conference.
- Email to EngelmayerNYSChambers@nysd.uscourts.gov, no later than twenty-four hours before the conference, the names of any counsel who wish to enter an appearance at the conference, and the number from which each counsel will be calling.

If this case has been settled or otherwise terminated, counsel are not required to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is sent prior to the date of the conference via e-mail to the Orders and Judgment Clerk at the following e-mail address: orders_and_judgments@nysd.uscourts.gov.

Requests for adjournment may be made only in a writing received no later than two business days before the conference. The written submission must comply with Section 1.E of the Court's Individual Rules. Unless counsel are notified that the conference has been adjourned, it will be held as scheduled.

SO ORDERED.

A handwritten signature in black ink, reading "Paul A. Engelmayer", written over a horizontal line.

PAUL A. ENGELMAYER
United States District Judge

Dated: February 6, 2024
New York, New York